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SUBJECT: RECENT HUMAN RIGHTS CASES DEMONSTRATE PROGRESS

SUMMARY

1. The Prosecutor General's office (Fiscalia)--supported by the GOC and using evidence generated by the Justice and Peace Law (JPL)--has made progress on human rights. The Fiscalia is considering asking the Supreme Court to re-open proceedings against retired military generals Rito Alejo del Rio and Ivan Ramirez based on paramilitary leaders' testimony in the JPL. A court convicted three soldiers for their involvement in a 1997 massacre in Meta, and a special labor judge convicted former paramilitary leader Salvatore Mancuso for the murder of a labor union president. The Ministry of Social Protection is holding a series of interagency workshops with union leaders to gather evidence to support the investigation and prosecution of violence against labor unionists. End Summary

DEL RIO AND RAMIREZ

2. The Prosecutor General's office (Fiscalia) is considering recommending that the Supreme Court re-open cases against retired generals Rito Alejo del Rio and Ivan Ramirez for their links to paramilitary groups. The Medellin-based Human Right Unit is reviewing JPL testimony by former paramilitary leaders Salvatore Mancuso and Ever Veloza (HH) linking these generals--as well as other officers--to paramilitary crimes. The Fiscalia absolved Del Rio of ties to illegal groups while he was commanding the 17th Brigade from 1995 to 1997. Ramirez served as commander of the Second Brigade in Barranquilla during a period of increased paramilitary violence. We revoked the visas of Ivan Ramirez and Rito Alejo del Rio in 1998 and 1999 respectively on terrorism and narcotrafficking concerns,

CONVICTIONS IN META MASSACRE

3. On October 23, a Villavicencio court sentenced Francisco Enrique Gomez Vergara, Arnoldo Vergara Trespalacios and Leonardo Montoya Rubiano to 40 years in prison for their roles in the July 1997 massacre of 36 people in Meta. The case, prosecuted by the Fiscalia's Human Rights unit, occurred when paramilitaries entered Mapiripan and murdered the villagers, dumping an undetermined number into the Guaviare River. This is the second set of convictions in the case. Retired Colonel Lino Hernando Sanchez Prado, NCO Jose Miller Uruea Diaz and NCO Juan Carlos Gamarra Polo were previously convicted and sentenced to 40 years for the crime. A judge's decision in the case against General Uscategui,

the senior officer involved, has been pending for over two years. The Fiscalía has complained to judicial oversight bodies about the delay, and has recommended a 40 year sentence for Uscategui. Uscategui is under house arrest.

CONVICTION IN MURDER OF USO PRESIDENT

14. Former United Self-Defense Forces of Colombia (AUC) leader Salvatore Mancuso was convicted along with two other paramilitary members for the murder of Auri Sarah Marrugo, president of the Union Sindical Obrera, (USO), a Ecopetrol union, and her driver/bodyguard, Enrique Arellano Torres in November 2001. A special labor judge sentenced Mancuso to to 40 years in prison--the maximum sentence under Colombian law. The murders will be added to his list of crimes as he continues to participate in the JPL process.

UNION PATRIOTA

15. The Human Rights Unit of the Fiscalía announced on November 7 that it had reopened 294 cases related to the murders of members of the Union Patriota political party in the mid 1980s and early 1990s. Human rights groups claim more than than 2500 members of the party were killed from 1986-94. A ten-person commission, selected by Prosecutor General Mario Iguaran, examined 527 cases and found sufficient information to reopen 294 of them. Much of the new information comes from the "version libre" testimony of former paramilitaries under the JPL process. The Union Patriotica was created in 1985, as part of President Belisario Betancur's peace process with the FARC. Several FARC leaders, including current Secretariat member Ivan Marquez, participated in the party.

ADVANCING LABOR INVESTIGATIONS

16. On November 6, the GOC launched a series of workshops to improve investigation and prosecution of cases against labor leaders. The Ministry of Social Protection (MSP) held the first workshop in Bogota, and will host similar workshops in eight other cities to solicit input from local unions and prosecutors. Vice President Francisco Santos, Prosecutor General Mario Iguaran, Minister of Social Protection Diego Palacios Betancourt, human rights prosecutors, and three judges assigned to handle labor cases participated in the Bogota event. Local International Labor Organization (ILO) representative Marcelo Castro, National Association of Industry Director (ANDI) Alberto Echavarria, and Colombian labor confederation and local unions representatives also presented their views. Echavarria called for increased GOC action on the investigations.

17. The workshop's participants received an overview of the status of convictions achieved so far, the commitments laid out in the ILO-brokered Tripartite agreement, and the provisions guaranteed to Colombian workers through Colombian law, ILO conventions, and other international agreements. So far, the GOC prosecuted 56 of the labor violence cases identified by the ILO, sending 118 criminals to prison. The new labor sub-unit of the Fiscalía, which began its work in January 2007, prosecuted eight of those cases. The National University facilitated information sharing from the labor confederations regarding cases for which little or no information currently exists, thus helping the Fiscalía begin investigating those cases. Many of the case involving unionists occurred years ago, with investigators lacking basic details about the murders.

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